

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
James R. Curtis et al.)	Examiner: Jeffrey C. Pwu
)	
Serial No. 09/942,910)	Art Unit: 2143
)	
Filing Date: August 31, 2001)	Confirmation No. 8139
)	
Patent No.: 7,047,299)	Attorney Docket No. 10014656-1
)	
Issued: May 16, 2006)	
)	
For: GENERIC CLUSTER AWARE)	
LOCK BROKER WITH USER)	
DEFINED LOCKING MODES)	

STATUS REQUEST

BOX PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached is a copy of a Petition for Correction of Inventorship Under Rule 1.48 and supporting Verified Statements of Eric M. Soderberg and James Russell Curtis and an executed Combined Declaration and Power of Attorney of Eric M. Soderberg. These documents were filed with the U.S. Patent and Trademark Office on October 31, 2001.

Applicant's request to know the status of this Petition.

The above application issued as Patent 7,047,299 on May 16, 2006.

Respectfully submitted,
KLAAS, LAW, O'MEARA & MALKIN, P.C.

By: /William P. O'Meara/

William P. O'Meara
Registration No. 29,962
1999 Broadway, Suite 2225
Denver, Colorado 80202
Telephone: (303) 298-9888
Date: August 14, 2009

420503-365(10014656-1)(12188)

Attorney Docket Number

October 31, 2001

Date of filing enclosed papers

RE: **A GENERIC CLUSTER AWARE LOCK BROKER WITH USER DEFINED
LOCKING MODES**

Application No.: 09/942,910

Filing date: August 31, 2001

Patent No.: _____

Issue date: _____

Applicant/Inventor: James R. CURTIS et al.

The following items/fees were received from Dorsey & Whitney, Washington, D.C., by the U.S. Patent & Trademark Office:

ITEMS

- ☐ PCT Request (5) Pages & PCT fee calculation sheet
☒ **Petition for Correction of Inventorship Under Rule 1.48(a)**
☒ **Verified Statement of E. Soderberg Under Rule 1.48(a)**
☒ **Verified Statement of J. Curtis Under Rule 1.48(a)**
☒ **Executed Combined Declaration and Power of Attorney**
☐ Response to Notice to File Missing Parts of Application
☐ Certificate of Correction
☐ Request for Certificate of Correction of Patent
☐ Supplemental Information Disclosure Statement
☐ IDS w/PTO - 1449 form w/reference copies
☐ Letter to Draftsman
☐ Issue Fee Transmittal PTOL Form 85B
☐ Issue Fee Transmittal Letter
☐ Amendment Under 37 CFR § 1.312(a)
☐ Assignment w/Recordation cover Sheet
☐ New U.S. Provisional Patent/Design Application (12 sheets)
☐ National Stage Application
☐ Translation of National Stage
☐ Priority Document - CC ofApp. # Date
☐ Notice of Opposition
☐ Petition/Request for EOT
☐ Amendment
☐ Status Check Inquiry

- ☐ Notice of Appeal
☐ Appeal Brief (in triplicate)
☐ Reply Brief (in triplicate)
☐ Request for Oral Hearing
☐ Confirmation of Hearing Petition
☐ Response

OTHER ITEMS

- ☐ R'qst. For Corrected Assignment along w/new recordation sheet and enclosures
☐ New App. Receipt Post Card self/stamped
☐ Fee Transmittal Sheet
☐ Filing fee
☐ Claim to priority
☐ Additional Claim fees
☐ Recordation/Indexing fee
☐ Issue Fee
☐ Extension of Time Fee
☐ **TOTAL FEES = \$**

**To be charged to Deposit Account
No. 08-2025**

**RETURN DATE-STAMPED
BLUE SHEET TO:**

**Wylie Williams
TEL. (202) 824-8800**

ROCKETED

11/1/01

Wp

DOCKET NO.: 10014656-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James R. CURTIS et al.

Serial No.: 09/942,910

Examiner: n/a

Filed: August 31, 2001

Group: n/a

For: A GENERIC CLUSTER AWARE LOCK BROKER WITH USER
DEFINED LOCKING MODES

PETITION FOR CORRECTION OF INVENTORSHIP
UNDER RULE 1.48(a)

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

1. This amendment and petition is to correct the incorrect original naming of inventor(s) under 37 CFR 1.48(a).
2. Please add the following previously unnamed person as an inventor of this application:

Eric M. SODERBERG
3. Attached is:
 - a. A statement of facts verified by the original named inventor establishing when the error without deceptive intention was discovered and how it occurred;
 - b. A statement of facts verified by the above added named inventor establishing when the error without deceptive intention was discovered and how it occurred and what actions should be taken to correct the error; and
 - c. A declaration by each of the actual inventor(s) as required by 37 CFR 1.63.

Petition to Correct Inventorship
Application No. 09/942,910
Docket No. 10014656-1
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The applicable petition fee of \$130.00 pursuant to 37 CFR 1.17(h) is submitted herewith. Please charge any underpayment or credit any overpayment to our Deposit Account Number 04-1425, and advise us accordingly. A duplicate copy of this communication is submitted for that purpose.

Respectfully submitted,



Ami P. Shah, Reg. No. 42,143
DORSEY & WHITNEY LLP
1001 Pennsylvania Avenue, N.W.
Suite 300 South
Washington, DC 20004
Tel. (202) 824-8800/(703) 288-5251
Fax (202) 824-8990

Date: October 31, 2001

DOCKET NO.: HP 10014656-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James R. CURTIS, et al.

Serial No.: 09/942,910

Examiner: n/a

Filed: August 31, 2001

Group: n/a

For: A GENERIC CLUSTER AWARE LOCK BROKER WITH USER
DEFINED LOCKING MODES

VERIFIED STATEMENT OF
ERIC MARTIN SODERBERG
UNDER RULE 1.48(a)

I, Eric Martin SODERBERG hereby declare as follows:

1. I am currently employed by Hewlett-Packard Company. At the time the invention disclosed and claimed in the above-identified patent application was being conceived, I was employed by Hewlett-Packard Company.

2. During my employment with Hewlett-Packard Company, I collaborated with James Russell CURTIS. This collaboration resulted in the conception of the invention disclosed and claimed in the above-identified patent application.

3. After August 31, 2001, James Russell CURTIS notified me that the above-identified patent application had been filed on August 31, 2001, naming James Russell CURTIS as the sole inventor.

Declaration of
Eric Martin SODERBERG
Application No. 09/942,910
Docket No. HP 10014656-1
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4. I have reviewed and understood the contents of the specification including the claims.
5. I declare that I was a contributing inventor of the apparatus and methods disclosed and claimed in the above-identified patent application.
6. I further declare that my name was omitted from the original declaration through error and without any deceptive intent.
7. My patent agent, Christopher Keith Montgomery recommended that I be added to this application as a joint inventor. I agree with my patent agent that the inventorship of the above-identified patent application should be corrected to include both James Russell CURTIS and myself as joint inventors since we each contributed to the conception of the invention.
8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the above referenced application or any patent issuing thereon.

Date: 10/17/2001


Eric Martin SODERBERG

DOCKET NO.: 10014656-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James R. CURTIS, et al.

Serial No.: 09/942,910

Examiner: n/a

Filed: August 31, 2001

Group: n/a

For: A GENERIC CLUSTER AWARE LOCK BROKER WITH USER
DEFINED LOCKING MODES

VERIFIED STATEMENT OF
JAMES RUSSELL CURTIS
UNDER RULE 1.48(a)

I, James Russell CURTIS hereby declare as follows:

1. I am listed as the original and sole inventor on the declaration executed on August 31, 2001, and filed in the above-identified patent application on August 31, 2001.
2. I am one of the joint inventors of the subject matter of the above-identified patent application.
3. I am currently employed by Hewlett-Packard Company. At the time the invention disclosed and claimed in the above-identified patent application was being conceived, I was employed by Hewlett-Packard Company.
4. On August 31, 2001, I discovered that the above-identified patent application had been filed on August 31, 2001, naming myself as the sole inventor.

Declaration of
James Russell CURTIS
Application No. 09/942,910
Docket No. 10014656-1
Page 2

5. During my employment with Hewlett-Packard Company, I collaborated with Eric Martin SODERBERG. This collaboration resulted in the conception of the invention disclosed and claimed in the above-identified patent application.

6. I declare that Eric Martin SODERBERG was a contributing inventor of the apparatus and processes disclosed and claimed in the above-identified patent application.

7. I further declare that Eric Martin SODERBERG's name was omitted from the original declaration through error and without any deceptive intent.

8. Before August 31, 2001, when I executed the original declaration for the above-identified patent application, I had reviewed and understood the contents of the specification including the claims.

9. Before August 31, 2001, I notified John KENNEDY, the patent attorney who prepared the above-identified patent application, that Eric Martin SODERBERG should be included as an inventor in the above-identified patent application.

10. When I executed the original declaration on August 31, 2001, I believed that the original declaration would be sent to Eric Martin SODERBERG after I executed the declaration, and that Eric Martin SODERBERG would be included as an inventor in the above-identified patent application.

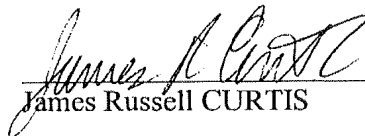
Declaration of
James Russell CURTIS
Application No. 09/942,910
Docket No. 10014656-1
Page 3

11. After executing the original declaration and forwarding the original declaration to the offices of DORSEY & WHITNEY LLP, patent counsel for Hewlett-Packard Company, I learned that Eric Martin SODERBERG was not included as an inventor in the above-identified patent application.

12. On September 4, 2001, I notified John KENNEDY that Eric Martin SODERBERG was not on the original declaration, and that Mr. SODERBERG should be added as an inventor in the above-identified patent application.

13. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the above referenced application or any patent issuing thereon.

Date: 10/25/2001


James Russell CURTIS

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATIONATTORNEY DOCKET NO. 10014656-1

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A GENERIC CLUSTER AWARE LOCK BROKER WITH USER DEFINED LOCKING MODES

The specification of which is attached hereto unless the following box is checked:

(X) was filed on 08/31/01 as US Application No. or PCT International Application
Number 09/942,910 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES: _____ NO: _____
			YES: _____ NO: _____

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER	FILING DATE

U. S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (patented/pending/abandoned)

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Customer Number 022879Place Customer
Number Bar Code
Label hereSend Correspondence to:
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Direct Telephone Calls To:

T. Grant Ritz
(970) 898-0697

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: James R. CURTISCitizenship: USResidence: Placerville, CA 95666Post Office Address: n/a

Inventor's Signature

Date

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION (continued)**


ATTORNEY DOCKET NO. 10014656-1

Full Name of # 2 joint inventor: Eric M. SODERBERG

Citizenship: U.S.

Residence: Mountain View, CA 94041

Post Office Address: n/a

Inventor's Signature 

Date 10/19/2001

Full Name of # 3 joint inventor: _____

Citizenship: _____

Residence: _____

Post Office Address: _____

Inventor's Signature _____

Date _____

Full Name of # 4 joint inventor: _____

Citizenship: _____

Residence: _____

Post Office Address: _____

Inventor's Signature _____

Date _____

Full Name of # 5 joint inventor: _____

Citizenship: _____

Residence: _____

Post Office Address: _____

Inventor's Signature _____

Date _____

Full Name of # 6 joint inventor: _____

Citizenship: _____

Residence: _____

Post Office Address: _____

Inventor's Signature _____

Date _____

Full Name of # 7 joint inventor: _____

Citizenship: _____

Residence: _____

Post Office Address: _____

Inventor's Signature _____

Date _____

Full Name of # 8 joint inventor: _____

Citizenship: _____

Residence: _____

Post Office Address: _____

Inventor's Signature _____

Date _____